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Planning and Development Department
Las Vegas City Council
Las Vegas, NV

December 12, 2006

Greetings:

Re: Justification Letter for Application for Review of Conditions of Special Use Permit (SUP-2859)

To Whom It May Concern:

I am co-owner of the property located at 1717 S. Decatur (Decatur & Oakey) (the "Property") and the owners of the Property request a review of condition number 6 of a Special Use Permit for Auto Inventory Storage ("SUP-2859") previously approved for that location. Condition number 6 provides as follows:

"This Special Use Permit shall expire three years from the date of final approval."

(A copy of the notice of approval stating the condition is attached to this request.)

At the time when the prior approval was granted, Desert Dodge entered into a 3 year lease of a portion of the property for the purpose of storing inventory. Now, Desert Dodge seeks to extend the lease for an additional 3 year period and we request that the condition be modified to provide that:

"This Special Use Permit shall continue for an additional 3 year period and thereafter be subject to a periodic review every 3 years."

The following is an excerpt from the City of Las Vegas Zoning Code (19.04), which identifies the requirements for our intended use, together with an explanation of why we believe the continued use is justified.

AUTO DEALER INVENTORY STORAGE [P-R, C-1, C-2, C-PB, C-M, M]

1. *All areas used for the parking or storage of vehicles shall be paved.*
 - The entire area in question is paved or concrete.

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2. *Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.*
 - There is a concrete wall separating the subject parcel and the residential area immediately east that fully shields the vehicles from the view of the residents. To address being effectively screened from view otherwise, the remainder of the area used has been encompassed by an attractive, wrought iron fence lined with semi-opaque material. This fencing was approved for this use as part of the Application for the prior three (3) year period.
3. *The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and accessed through a parcel located on a primary or secondary thoroughfare.*
 - The parcel is located at Decatur (a primary thoroughfare) and Oakley (a secondary thoroughfare) and is accessible from both.
4. *Lighting shall be shielded from adjacent properties.*
 - There is no additional lighting.
5. *The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of parking area that is provided in excess of required parking for other uses. For purposes of the Paragraph, the amount of required parking shall be calculated in accordance with the current standards set forth in Chapter 19.10.*
 - With the main facility measuring 134,881 sq./ft. based on one parking space per 250 sq./ft., the required minimum spaces would be 540. The spaces, as identified on the plans, number 1006. According to the 50% rule, that would leave 233 spaces available for storage. We are asking to encroach on 115 of those spaces.
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Between the on-site security provided by Fantastic Indoor Swap Meet during normal operating hours and the additional security contracted for after-hours, there will continue to be 24-hour monitoring.

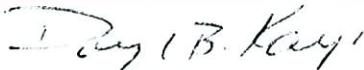
Vehicle movement will continue to occur primarily between 8:30 a.m. and 6:30 p.m. Monday through Saturday, with no activity on Sundays. The lessee will keep to an absolute minimum any movement outside of those hours.

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In closing, we completed all of the upgrades to the site made at the request of the City in conjunction with the last Application. The continuation of this use would be a benefit to Desert Dodge and would allow them to operate much more efficiently than would otherwise be the case. The use is not detrimental to the area or to the City and to our knowledge there have not been any code enforcement actions that have resulted from the use. It is our intent to work with interested parties to promptly remedy any issues that might arise in the future.

If you should have any question regarding the application for review, please contact me at 310-877-8261. I look forward to the positive recommendation of the Department and the decision of the City Council.

Sincerely,



Douglas B. Kays

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